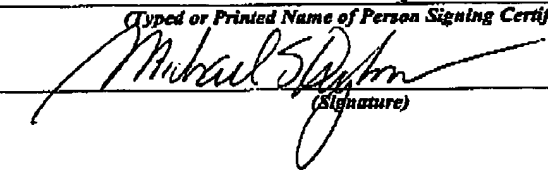


<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			Docket No. 121036-0082	
Applicant(s): Katsumi ABE et al.				
Application No. 10/538,691	Filing Date June 10, 2005	Examiner Unknown	Group Art Unit Unknown	
Invention: MAGNETIC ENCODER				
<b>RECEIVED CENTRAL FAX CENTER MAR 27 2006</b>				
I hereby certify that this <u>Petition to Withdraw Abandonment with Four (4) Attachments</u> (Identify type of correspondence)				
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u> )				
on <u>March 27, 2006</u> (Date)				
<u>Michael S. Gzybowski</u> (Typed or Printed Name of Person Signing Certificate)				
 (Signature)				
Note: Each paper must have its own certificate of mailing.				

Appl. No. 10/538,691

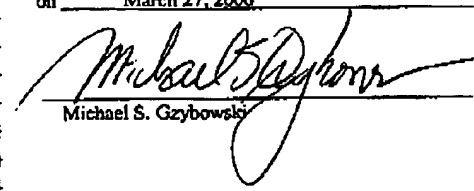
**RECEIVED  
CENTRAL FAX CENTER  
MAR 27 2006****PATENT APPLICATION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Attorney**  
**Docket No.:** 121026-0082  
  
**Applicant:** Katsumi ABE et al.  
  
**Invention:** MAGNETIC ENCODER  
  
**International**  
**Appl'n. No:** PCT/JP03/11697  
  
**International**  
**Filing date:** September 12, 2003  
  
**Priority Date:** June 27, 2002  
  
**U.S.**  
**Application No.** 10/538,691

**Certificate Under 37 CFR 1.8(b)**

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office via facsimile transmission on the date indicated below.

on March 27, 2006

  
Michael S. Gzybowski

**RESPONSE TO NOTIFICATION OF ABANDONMENT,  
PETITION TO WITHDRAW ABANDONMENT AND  
PETITION TO MAINTAIN ORIGINAL FILING DATE**

Mail Stop PCT  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment mailed march 9, 2006 in connection with the above-identified application, applicants submit the following:

In the Notice of Abandonment it is stated that: "Applicant has failed to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495)."

Appl. No. 10/538,691

It is respectfully submitted that the application No. 10/538,691 was filed June 10, 2005 by Express Mail together with authorization to change the Basic National Filing Fee of \$940.00 to deposit account No. 12-2136, and further with authorization to "Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.178" to Deposit Account No. 12-2136.

Submitted herewith is a copy of the statement for Deposit Account No. 12-2136 on which is it noted that the Basic Filing Fee of \$940.00 was charged to Deposit Account No. 12-2136 on June 17, 2006 for the above-identified application (identified by the Application Serial No. and Attorney Docket No.)

The undersigned was not provided with any notice regarding a deficiency in the payment of the Basic Filing Fee in Application Serial No. 10/538,691.

Accordingly, until the Notice of Abandonment was received it was presumed that the application was properly filed and met the requirements of 35 U.S.C. §371 and 37 CFR §1.495 on the filing date of June 10, 2005.

The undersigned respectfully petitions for withdrawal of abandonment of the above-identified application and the granting of the filing date of June 10, 2006 to Application Serial No. 10/538,691.

The undersigned authorizes any necessary petition fee to consider this petition to be charged to Deposit Account No. 12-2136.

To the extent that the abandonment was in error, it is requested that any necessary petition fee be waived or re-credited to Deposit Account No. 12-2136.

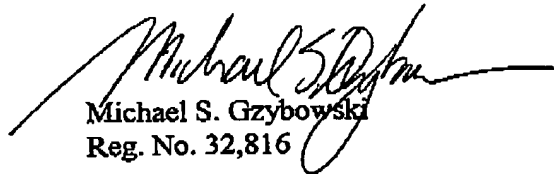
Submitted herewith are:

Appl. No. 10/538,691

1. A copy of the Notice of Abandonment;
2. A copy of the Fee Transmittal that was submitted with the application on June 10, 2005;
3. A copy of the Return Receipt Postcard that submitted with the application on June 10, 2005; and
4. A copy of the statement for Deposit Account No. 12-2136 on which is it noted that the fee of \$940.00 was charged on June 17, 2006.

Please change any additional fees due in connection with the filing of this paper or granting this petition, including extension of time fees, to Deposit Account No. 12-2136 and please credit any excess fees to such deposit account.

Respectfully submitted,



Michael S. Gzybowski  
Reg. No. 32,816

BUTZEL LONG  
350 South Main Street  
Suite 300  
Ann Arbor, Michigan 48104  
(734) 995-3110

146863.1

Deposit Account No. 12-2136

<del>06/17 30</del>	11152757	068481015-0003 1011	\$300.00	\$8,661.00
<del>06/17 40</del>	11152757	068481015-0003 1111	\$500.00	\$8,161.00
<del>06/17 41</del>	11152757	068481015-0003 1311	\$200.00	\$7,961.00
<del>06/17 544</del>	10538691	121036-0082 1631	\$300.00	\$7,661.00
<del>06/17 545</del>	10538691	121036-0082 1642	\$400.00	\$7,261.00
<del>06/17 546</del>	10538691	121036-0082 1633	\$200.00	\$7,061.00
<del>06/17 547</del>	10538691	121036-0082 8021	\$40.00	\$7,021.00
<del>06/20 8</del>	E-REPLENISHMENT	57888-97/830 9203	-\$130.00	\$7,151.00
<del>06/20 9</del>	E-REPLENISHMENT	121036-52 9203	-\$940.00	\$8,091.00
<del>06/20 10</del>	E-REPLENISHMENT	130229-7/52 9203	-\$1,150.00	\$9,241.00
06/21 24	E-REPLENISHMENT	115970-12/24 9203	-\$40.00	\$9,281.00
06/21 25	E-REPLENISHMENT	9203	-\$1,000.00	\$10,281.00
06/21 26	E-REPLENISHMENT	9203	-\$1,000.00	\$11,281.00
06/21 149	09997652	SHC0160/83 1801	\$790.00	\$10,491.00
<del>06/21 150</del>	09997652	SHC0160/83 1252	\$330.00	\$10,161.00
06/21 157	10192306	PRD0001 1251	\$120.00	\$10,041.00
06/21 192	E-REPLENISHMENT	9203	-\$1,240.00	\$11,281.00
06/21 193	E-REPLENISHMENT	9203	-\$120.00	\$11,401.00
<del>06/22 1</del>	10428602	16414 1501	\$1,400.00	\$10,001.00
<del>06/22 2</del>	10428602	16414 1504	\$300.00	\$9,701.00
<del>06/22 35</del>	11156000	132702-0145 1011	\$300.00	\$9,401.00
<del>06/22 36</del>	11156000	132702-0145 1111	\$500.00	\$8,901.00
<del>06/22 37</del>	11156000	132702-0145 1311	\$200.00	\$8,701.00
<del>06/22 73</del>	10325360	16159 1251	\$120.00	\$8,581.00
<del>06/22 4</del>	09941096	SCHC0141/66 1402	\$500.00	\$8,081.00
06/23 6	10366171	16205 132702-47 1814	\$130.00	\$7,951.00
<del>06/23 62</del>	80692627	119681-1 11 9681-2005	\$100.00	\$7,851.00
<del>06/23 142</del>	11156000	132702-0145 8021	\$40.00	\$7,811.00
<del>06/23 181</del>	11157628	132702-0151 1011	\$300.00	\$7,511.00
<del>06/23 182</del>	11157628	132702-0151 1111	\$500.00	\$7,011.00
<del>06/23 193</del>	11157628	132702-0151 1311	\$200.00	\$6,811.00
<del>06/24 61</del>	10649524	16058 2501	\$700.00	\$6,111.00
<del>06/24 62</del>	10649524	16058 1504	\$300.00	\$5,811.00
<del>06/27 24</del>	E-REPLENISHMENT	121027-97 9203	-\$40.00	\$5,851.00
<del>06/27 25</del>	E-REPLENISHMENT	6 9481-15 9203	-\$1,000.00	\$6,851.00
<del>06/27 26</del>	E-REPLENISHMENT	121056-46 9203	-\$1,000.00	\$7,851.00
<del>06/27 73</del>	11159593	131905-0002 2011	\$150.00	\$7,701.00
<del>06/27 74</del>	11159593	131905-0002 2111	\$250.00	\$7,451.00
<del>06/27 75</del>	11159593	131905-0002 2311	\$100.00	\$7,351.00
<del>06/27 192</del>	E-REPLENISHMENT	121027-97 9203	-\$1,240.00	\$8,591.00
<del>06/27 193</del>	E-REPLENISHMENT	121027-102 9203	-\$120.00	\$8,711.00
<del>06/28 27</del>	E-REPLENISHMENT	121027-83/45 9203	-\$1,120.00	\$9,831.00
<del>06/28 28</del>	E-REPLENISHMENT	130229-5 9203	-\$40.00	\$9,871.00
<del>06/28 29</del>	E-REPLENISHMENT	121027-66 9203	-\$500.00	\$10,371.00
<del>06/28 80</del>	E-REPLENISHMENT	132702-15/108 9203	-\$1,040.00	\$11,411.00
<del>06/28 182</del>	11157628	132702-0151 8021	\$40.00	\$11,371.00
<del>06/28 185</del>	11121830	57888028-0087 8021	\$40.00	\$11,331.00
<del>06/28 200</del>	E-REPLENISHMENT	132702-15/008 9203	-\$1,040.00	\$12,371.00

10/538,691

\$940.00

Doc Code:

PTO/SB/17 (12-04v2)  
Approved for use through 07/31/2006. OMB 0851-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		<b>Complete if Known</b>	
<b>FEE TRANSMITTAL for FY 2005</b>		Application Number	Unknown
		Filing Date	June 10, 2005
		First Named Inventor	Katsumi ABE, et al
		Examiner Name	Unknown
		Art Unit	Unknown
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	121036-0082
<b>TOTAL AMOUNT OF PAYMENT (\$)</b>		<b>\$940.00</b>	

RECEIVED  
CENTRAL FAX CENTER  
MAR 27 2006

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Deposit Account Number: 12-2136 Deposit Account Name: BUTZEL LONG

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.18 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	\$50.00	\$0.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	\$200.00	\$0.00

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	0	0	(round up to a whole) x \$250.00	\$0.00

**4. OTHER FEE(S)**

Non-English specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): **BASIC NATIONAL FILING FEE AND RECORDATION FEE**

Fee Paid (\$)  
\$940.00

**SUBMITTED BY**

Signature	<i>Michael S. Gzybowski</i>	Registration No. (Attorney/Agent)	32,816	Telephone	734.995.3110
Name (Print/Type)	Michael S. Gzybowski			Date	June 10, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/538,691	Katsumi Abe	121036-0082

INTERNATIONAL APPLICATION NO.
PCT/JP03/11697

I.A. FILING DATE	PRIORITY DATE
09/12/2003	06/27/2002

35684  
BUTZEL LONG  
350 SOUTH MAIN STREET  
SUITE 300  
ANN ARBOR, MI 48104

**RECEIVED**  
BUTZEL LONG

MAR 17 2006

CONFIRMATION NO. 6774

371  
ABANDONMENT/TERMINATION  
LETTER

RESPONSE DUE:

*Follow up on this to Buine #18300*  
DOCKET 1 *7/06* DOCKET 2 *1/07*

\*CC000000018183025\*

Date Mailed: 03/09/2006

### NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2)).

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

# BEST AVAILABLE COPY

MAR 27 2006 15:27 FR ANN ARBOR

734 995 1777 TO 915712738300

P.08/08

Receipt is Acknowledged of:

TYPE OF PAPER: NATIONAL PHASE PATENT APPLICATION

CUSTOMER NO: 35684

APPLICANTS: Katsunori ABE, et al

APPLICATION NO: 1602-Rec'd PCT/PTO

FILING DATE: June 10, 2005

EXAMINER: Unknown

GROUP UNIT: Unknown

TITLE: MAGNETIC ENCODER

Express Mail Cover Letter (Certificate of Mailing)

Certificate of Mailing by Express Mail

Transmittal Letter to U.S. Designated/Elected Office

Concerning a Filing Under 35 USC 371 (in duplicate)

International Appl. No. PCT/JP2003/011699

Translation of Int'l Appl No. PCT/JP2003/011697 into English

Including Specification (13 pgs), Claims (1 pg) & Abstract (1 pg)

Preliminary Amendment

PCT/USA National Declaration and Power of Attorney (2 pgs)

International Search Report

Information Disclosure Statement

Information Disclosure Citation (PTO 1449) (w/cc's of references)

Recordation Form Cover Sheet (in duplicate)

Assignment

Fee Transmittal

DATE MAILED: June 10, 2005

Our Ref 121036-082

10 JUN 2005

10/538691